

EXHIBIT A



ELECTRONICALLY FILED
12/21/2020 4:35 PM
68-CV-2020-900922.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
KAREN DUNN BURKS, CLERK

State of Alabama Unified Judicial System Form AR Civ-93 Rev. 9/18	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Cal: 68 Date of Filing: 12/21/2020 Judge Code:
GENERAL INFORMATION		
IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA FRANK J PRICE ET AL v. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL		
First Plaintiff: <input type="checkbox"/> Business <input checked="" type="checkbox"/> Individual First Defendant: <input checked="" type="checkbox"/> Business <input type="checkbox"/> Individual <input type="checkbox"/> Government <input type="checkbox"/> Other <input type="checkbox"/> Government <input type="checkbox"/> Other		
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:		
TORTS: PERSONAL INJURY <input type="checkbox"/> WDEA - Wrongful Death <input checked="" type="checkbox"/> TONG - Negligence: General <input type="checkbox"/> TOMV - Negligence: Motor Vehicle <input type="checkbox"/> TOWA - Wantonness <input type="checkbox"/> TOPL - Product Liability/AEMLD <input type="checkbox"/> TOMM - Malpractice-Medical <input type="checkbox"/> TOLM - Malpractice-Legal <input type="checkbox"/> TOOM - Malpractice-Other <input type="checkbox"/> TBFM - Fraud/Bad Faith/Misrepresentation <input type="checkbox"/> TOXX - Other: _____ TORTS: PERSONAL INJURY <input type="checkbox"/> TOPE - Personal Property <input type="checkbox"/> TORE - Real Property OTHER CIVIL FILINGS <input type="checkbox"/> ABAN - Abandoned Automobile <input type="checkbox"/> ACCT - Account & Nonmortgage <input type="checkbox"/> APAA - Administrative Agency Appeal <input type="checkbox"/> ADPA - Administrative Procedure Act <input type="checkbox"/> ANPS - Adults in Need of Protective Services	OTHER CIVIL FILINGS (cont'd) <input type="checkbox"/> MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve <input type="checkbox"/> CVRT - Civil Rights <input type="checkbox"/> COND - Condemnation/Eminent Domain/Right-of-Way <input type="checkbox"/> CTMP - Contempt of Court <input type="checkbox"/> CONT - Contract/Ejectment/Writ of Seizure <input type="checkbox"/> TOCN - Conversion <input type="checkbox"/> EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division <input type="checkbox"/> CVUD - Eviction Appeal/Unlawful Detainer <input type="checkbox"/> FORJ - Foreign Judgment <input type="checkbox"/> FORF - Fruits of Crime Forfeiture <input type="checkbox"/> MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition <input type="checkbox"/> PFAB - Protection From Abuse <input type="checkbox"/> EPFA - Elder Protection From Abuse <input type="checkbox"/> FELA - Railroad/Seaman (FELA) <input type="checkbox"/> RPRO - Real Property <input type="checkbox"/> WTEG - Will/Trust/Estate/Guardianship/Conservatorship <input type="checkbox"/> COMP - Workers' Compensation <input type="checkbox"/> CVXX - Miscellaneous Circuit Civil Case	
ORIGIN: F <input checked="" type="checkbox"/> INITIAL FILING A <input type="checkbox"/> APPEAL FROM DISTRICT COURT O <input type="checkbox"/> OTHER R <input type="checkbox"/> REMANDED T <input type="checkbox"/> TRANSFERRED FROM OTHER CIRCUIT COURT		
HAS JURY TRIAL BEEN DEMANDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)		
RELIEF REQUESTED: <input checked="" type="checkbox"/> MONETARY AWARD REQUESTED <input type="checkbox"/> NO MONETARY AWARD REQUESTED		
ATTORNEY CODE: FRE041 12/21/2020 4:35:31 PM /s/ G. COURTNEY FRENCH MR. _____ Date Signature of Attorney/Party filing this form		
MEDIATION REQUESTED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNDECIDED		
Election to Proceed under the Alabama Rules for Expedited Civil Actions: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		



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CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

KAREN DUNN BURKS, CLERK

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BESSEMER DIVISION**

FRANK J. PRICE, an individual and
LISA PRICE, an individual,

Plaintiffs,

v.

FAMILY DOLLAR STORES OF
ALABAMA, LLC; a corporation;
SHENITA G. TURNER, individual,

CV-2020-_____

PLAINTIFFS DEMAND TRIAL
BY STRUCK JURY

- No. 1. whether singular or plural, the correct legal designation of the entitle known only to the Plaintiffs as **FAMILY DOLLAR STORES OF ALABAMA, LLC**;
- No. 2 whether singular or plural, the correct legal designation of that person known only to the Plaintiffs as **SHENITA G. TURNER**;
- No. 3 whether singular or plural, the person or entity that reserved the right to control the manner and methods of the safety of the patrons at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama;
- No. 4 whether singular or plural, the person or entity that is the successor corporation, successor entity, and/or successor in interest of any of the Defendants in this case.
- No. 5 whether singular or plural, that person, firm, corporation or entity who or which had supervisory authority relating to the selection, training and/or hiring of the employees at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama;
- No. 6 whether singular or plural, that person, firm, corporation or entity other than those described hereinabove whose negligent actions or inactions, wantonness or other wrongful conduct caused or contributed to cause the occurrence made the basis of this lawsuit. Plaintiffs allege that the identity of the fictitious party Defendants are otherwise unknown at this time, or if known, their identities as proper party Defendants are not known, but their true names will be substituted by amendment when ascertained.

Defendants

COMPLAINT

PARTIES, JURISDICTION & VENUE

1. Plaintiff FRANK J. PRICE is over the age of nineteen (19) years and at all times material herein resided in Jefferson County, Alabama, Bessemer Division, within the jurisdiction

of this Court.

2. Plaintiff LISA PRICE is over the age of nineteen (19) years and at all times material herein resided in Jefferson County, Alabama, Bessemer Division, within the jurisdiction of this Court.

3. Defendant FAMILY DOLLAR STORES OF ALABAMA, LLC ("Family Dollar") is a foreign limited liability company with its principal place of business in the State of Virginia. Its registered agent for service is the Corporation Service Company, Inc., which can be served at 641 South Lawrence Street, Montgomery, Alabama 36104. Defendant Family Dollar Stores of Alabama, LLC is the owner and operator of the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama.

4. Defendant SHENITA G. TURNER is over the age of nineteen (19) years and at all times material herein resided in Jefferson County, Alabama, Bessemer Division, within the jurisdiction of this Court.

5. Defendant SHENITA G. TURNER is a resident citizen of Jefferson County, Bessemer Division, Alabama. Defendant Shenita G. Turner was an employee of Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama at the time of the incident made the basis of this action.

6. No. 1, whether singular or plural, the correct legal designation of the entity known only to the Plaintiffs as FAMILY DOLLAR STORES OF ALABAMA, LLC;

7. No. 2, whether singular or plural, the correct legal designation of that person known only to the Plaintiffs as SHENITA G. TURNER;

8. No. 3, whether singular or plural, the person or entity that reserved the right to control the manner and methods of the safety of the patrons at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama;

9. No. 4, whether singular or plural, the person or entity that is the successor corporation, successor entity, and/or successor in interest of any of the Defendants in this case.

10. No. 5, whether singular or plural, that person, firm, corporation or entity who or which had supervisory authority relating to the selection, training and/or hiring of the employees at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama;

11. No. 6, whether singular or plural, that person, firm, corporation or entity other than those described hereinabove whose negligent actions or inactions, wantonness or other wrongful conduct caused or contributed to cause the occurrence made the basis of this lawsuit. Plaintiffs allege that the identity of the fictitious party Defendants are otherwise unknown at this time, or if known, their identities as proper party Defendants are not known, but their true names will be substituted by amendment when ascertained.

12. The identities of Fictitious Defendants No. 1 through No. 6 are unknown to the Plaintiff. Plaintiff will substitute the true parties when their identities are ascertained. A reference to "Defendants" herein means both the named and the fictitious defendants.

STATEMENT OF THE FACTS

13. On July 27, 2020, Plaintiffs FRANK J. PRICE and LISA PRICE were patrons at the Family Dollar Store No. 12100 at 350-390 14th Street in Bessemer, Alabama.

14. On July 27, 2020 at approximately 5:30 p.m., the Plaintiffs observed Defendant SHENITA G. TURNER, an employee of the Family Dollar Store No. 12100, engage in a verbal altercation with her boyfriend who had entered the premises of the Family Dollar Store in Bessemer, Alabama.

15. As Plaintiffs FRANK J. PRICE and LISA PRICE attempted to leave the Family Dollar Store No. 12100 in Bessemer, Alabama, the boyfriend of Defendant SHENITA G. TURNER became irate and began verbally threatening Plaintiffs.

16. Plaintiffs FRANK J. PRICE and LISA PRICE were loading the items they purchased into the trunk of their vehicle when the boyfriend of Defendant SHENITA G. TURNER followed them out of the store, pulled out his firearm and opened fire on Plaintiffs FRANK J. PRICE and LISA PRICE shooting them multiples times causing the severe and permanent injuries made the basis of this lawsuit.

17. The Defendants were negligent and wanton in failing to provide a reasonably safe shopping environment at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama, resulting in the severe and permanent injuries sustained by Plaintiffs FRANK J. PRICE and LISA PRICE.

COUNT ONE – NEGLIGENCE

18. Plaintiffs adopt and reallege each and every allegation set forth in the paragraphs above as if they were fully set forth herein.

19. This cause of action is brought against Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6.

20. Defendants were negligent in their failure to provide a reasonably safe shopping environment at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama.

21. Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6 negligently hired, trained, retained, and supervised employees at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama. Additionally, Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6 and their employees

negligently provided an unsafe shopping environment at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama.

22. Additionally, by their contracts, their policies, and by their other conduct, Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6 and their employees severally and collectively undertook the duty to provide the shoppers and guests at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama with a reasonably safe shopping environment. By their acts and their omissions, these Defendants and their employees negligently breached these undertaken duties.

23. Furthermore, based upon prior violent acts, assaults and/or shootings at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama, it was foreseeable or should have been foreseeable to Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6, these Defendants and their employees severally and collectively that the Family Dollar Store No. 12100 was an environment where this tragedy would likely occur.

24. Furthermore, Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6 and their employees had a duty to use reasonable care to keep the Family Dollar Store No. 12100 reasonably safe for the use of their shoppers and guests and to implement reasonable safety measures to control the conduct of a third persons to prevent harm to shoppers and guests. These Defendants and their employees breached their duty and failed to provide reasonable safety for shoppers and guests, including Plaintiffs FRANK J. PRICE and LISA PRICE.

25. Plaintiffs allege that as a proximate consequence of the negligence of these Defendants and their employees, Plaintiff FRANK J. PRICE suffered multiple traumatic and severe gunshot wounds to the right side of his body and left forearm, resulting in fractured ribs and a right knee injury. He was bruised and contused, suffered severe and permanent injuries, was permanently scarred, suffered severe physical and mental anguish, was caused to incur medical expenses and lost wages, and will continue to do so in the future.

26. Plaintiffs further allege that as a proximate consequence of the negligence of these Defendants and their employees, Plaintiff LISA PRICE suffered a traumatic and severe gunshot wound to her left shoulder, causing her to fall to the ground on her right shoulder resulting in a rotator cuff tear. She was bruised and contused, suffered severe and permanent injuries, was permanently scarred, suffered severe physical and mental anguish, was caused to incur medical expenses and lost wages, and will continue to do so in the future.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs FRANK J. PRICE and LISA PRICE demand compensatory and punitive damages against Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6, in an amount to be determined by a struck jury, plus interest and costs.

COUNT TWO – WANTONNESS

27. Plaintiffs adopt and reallege each and every allegation set forth in the paragraphs above as if they were fully set forth herein.

28. This cause of action is brought against Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6.

29. By consciously doing and/or not doing the acts set-forth above, these Defendants and their employees knew that injury and/or death would likely or probably result to someone. Their conduct was wanton, reckless and outrageous.

30. As a proximate consequence of the wantonness of these Defendants and their employees, Plaintiff FRANK J. PRICE suffered multiple traumatic and severe gunshot wounds to the right side of his body and left forearm, resulting in fractured ribs and a right knee injury. He was bruised and contused, suffered severe and permanent injuries, was permanently scarred, suffered severe physical and mental anguish, was caused to incur medical expenses and lost wages, and will continue to do so in the future.

31. Plaintiffs further allege that as a proximate consequence of the wantonness of these Defendants and their employees, Plaintiff LISA PRICE suffered a traumatic and severe gunshot wound to her left shoulder, causing her to fall to the ground on her right shoulder resulting in a rotator cuff tear. She was bruised and contused, suffered severe and permanent injuries, was permanently scarred, suffered severe physical and mental anguish, was caused to incur medical expenses and lost wages, and will continue to do so in the future.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs FRANK J. PRICE and LISA PRICE demand compensatory and punitive damages against Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER and Fictitious Defendants No. 1 through No. 6, in an amount to be determined by a struck jury, plus interest and costs.

PLAINTIFFS DEMAND TRIAL BY STRUCK JURY

Respectfully submitted,

/s/ G. Courtney French
G. COURTNEY FRENCH
CHRISTIN R. FRENCH
Attorneys for Plaintiffs

OF COUNSEL:

PETWAY, FRENCH & FORD, LLP
600 Luckie Drive; Suite 300
Birmingham, Alabama 35223
Phone: (205)977-9798
Fax: (205)977-9799
Email: cfrench@fpflaw.com
Email: crfrench@fpflaw.com

REQUEST FOR SERVICE

I hereby certify that on this the 21st day of December 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and have paid for the following Defendants to be immediately served at the following addresses:

SERVE DEFENDANTS BY CERTIFIED MAIL AS FOLLOWS:

FAMILY DOLLAR STORES OF ALABAMA, LLC
c/o Corporation Service Company, Inc.
641 South Lawrence Street
Montgomery, Alabama 36104

SERVE DEFENDANT BY PRIVATE PROCESS SERVER:

SHENITA G. TURNER
609 Crumpton Drive
Apt. J
Bessemer, AL 35020

/s/ G. Courtney French
G. Courtney French



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CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
KAREN DUNN BURKS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BESSEMER DIVISION

FRANK J. PRICE, an individual and)
LISA PRICE, an individual,)

Plaintiffs,)

v.)

CV-2020-_____

FAMILY DOLLAR STORES OF)
ALABAMA, LLC; a corporation;)
SHENITA G. TURNER, individual,)

- No. 1. whether singular or plural, the correct legal designation of the entitle known only to the Plaintiffs as **FAMILY DOLLAR STORES OF ALABAMA, LLC**;
- No. 2 whether singular or plural, the correct legal designation of that person known only to the Plaintiffs as **SHENITA G. TURNER**;
- No. 3 whether singular or plural, the person or entity that reserved the right to control the manner and methods of the safety of the patrons at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama;
- No. 4 whether singular or plural, the person or entity that is the successor corporation, successor entity, and/or successor in interest of any of the Defendants in this case.
- No. 5 whether singular or plural, that person, firm, corporation or entity who or which had supervisory authority relating to the selection, training and/or hiring of the employees at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama;
- No. 6 whether singular or plural, that person, firm, corporation or entity other than those described hereinabove whose negligent actions or inactions, wantonness or other wrongful conduct caused or contributed to cause the occurrence made the basis of this lawsuit. Plaintiffs allege that the identity of the fictitious party Defendants are otherwise unknown at this time, or if known, their identities as proper party Defendants are not known, but their true names will be substituted by amendment when ascertained.

Defendants)
)

PLAINTIFFS' FIRST DISCOVERY TO DEFENDANTS
FAMILY DOLLAR STORES OF ALABAMA, LLC
and SHENITA G. TURNER

COME NOW the Plaintiffs and propound the following Interrogatories and Requests for Production of Documents to Defendants FAMILY DOLLAR STORES OF ALABAMA, LLC and SHENITA G. TURNER to be answered separately and severally in accordance with the Alabama Rules of Civil Procedure:

1. Please state whether the Defendants are properly identified in the complaint. If not, please state the proper legal name and spelling of said persons/entities.
2. Please state the relationship between Defendants Family Dollar Stores of Alabama, LLC and Shenita G. Turner.
3. Please produce any and all policies, procedures and rules that Defendant Family Dollar Stores of Alabama, LLC is required to follow in providing a reasonably safe shopping environment to its guests. Please state the name(s) and address(es) of which entity created these policies, procedures and rules and which entity enforces these policies, procedures and rules.
4. Please state the names, addresses, and phone numbers of all employees of these defendants who were present at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama on the day and night in question. Please identify their position and/or job.
5. Please list any and all acts of violence, incidents, offenses and/or force that have occurred on the premises of the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama within the five (5) years prior to the incident made the basis of this complaint. Please produce for inspection and copying all investigatory materials and reports pertaining to said incidences, including the ultimate findings of the investigations.
6. Please state the identities of any and all persons who investigated the incident made the basis of this suit. Please provide addresses and phone numbers for these persons, as well as the role they played in the investigation. Please produce for inspection and copying any and all materials generated during said investigation including the ultimate findings of the investigation.
7. Please produce the complete employment file(s) of all security personnel employed or retained by these defendants for the five (5) years preceding the event made the basis of this suit.
8. Please produce for inspection and/or copying any and all policies of liability insurance, including declaration pages, for any of the Defendants for their conduct as alleged in the complaint. Please include any excess and/or all policies that may also be applicable.
9. Please state whether a claim has been made by any of the Defendants under any of these policies for the incident made the basis of this suit. If so, please state whether the insurer is honoring the claim, and, if not, whether there has been any notice of a defense made with

reservation of rights.

10. Please produce any and all written policies, regulations, procedures, by-laws, and/or rules of Defendant Family Dollar Stores of Alabama, LLC.

11. Please produce any and all written policies and/or rules that governed Defendant Shenita G. Turner while she performed his work at Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama.

12. Please state any and all supervisors of Defendant Shenita G. Turner at the time made the basis of this suit, including all persons up to the reporting chain to CEO/President/Chairman.

13. Please state any and all managers/supervisors on duty at the Family Dollar Store No. 12100 on 14th Street in Bessemer, Alabama on the day and night in question, including all persons up the reporting chain (whether on duty or not).

Respectfully submitted,

/s/ G. Courtney French

G. COURTNEY FRENCH

CHRISTIN R. FRENCH

Attorneys for Plaintiffs

OF COUNSEL:

PETWAY, FRENCH & FORD, LLP

600 Luckie Drive; Suite 300

Birmingham, Alabama 35223

Phone: (205)977-9798

Fax: (205)977-9799

Email: cfrench@fpflaw.com

Email: crfrench@fpflaw.com

TO BE SERVED WITH THE SUMMONS & COMPLAINT



AlaFile E-Notice

68-CV-2020-900922.00

To: G. COURTNEY FRENCH MR.
cfrench@fpflaw.com

NOTICE OF ELECTRONIC FILING

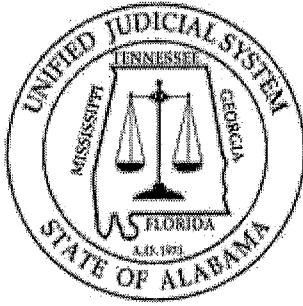
IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

FRANK J PRICE ET AL V. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL
68-CV-2020-900922.00

The following complaint was FILED on 12/21/2020 4:35:17 PM

Notice Date: 12/21/2020 4:35:17 PM

KAREN DUNN BURKS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
1851 2ND AVENUE NORTH
SUITE 130
BESSEMER, AL, 35020
205-497-8510



AlaFile E-Notice

68-CV-2020-900922.00

To: SHENITA G TURNER
609 CRUMPTON DR, APT J
BESSEMER, AL, 35020

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

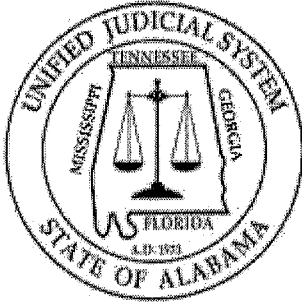
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JEFFERSON COUNTY, ALABAMA
1851 2ND AVENUE NORTH
SUITE 130
BESSEMER, AL, 35020

205-497-8510



AlaFile E-Notice

68-CV-2020-900922.00

To: FAMILY DOLLAR STORES OF ALABAMA, LLC
C/O CORP SERVICE CO, INC.
641 S LAWRENCE STREET
MONTGOMERY, AL, 36104

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

FRANK J PRICE ET AL V. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL
68-CV-2020-900922.00

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CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
1851 2ND AVENUE NORTH
SUITE 130
BESSEMER, AL, 35020

205-497-8510

State of Alabama
Unified Judicial System
Form C-34 Rev. 4/2017

SUMMONS
- CIVIL -

Court Case Number
68-CV-2020-900922.00

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
FRANK J PRICE ET AL V. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL

NOTICE TO: SHENITA G TURNER, 609 CRUMPTON DR, APT J, BESSEMER, AL 35020

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
G. COURTNEY FRENCH MR.

(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 600 LUCKIE DRIVE, SUITE 300, BIRMINGHAM, AL 35223

(Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL
PROCEDURE TO SERVE PROCESS:**

☒ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☐ Service by certified mail of this Summons is initiated upon the written request of _____
pursuant to the Alabama Rules of the Civil Procedure.

(Name(s))

12/21/2020

(Date)

/s/ KAREN DUNN BURKS

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____
(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____
_____ in _____ County,
(Name of Person Served) *(Name of County)*

Alabama on _____
(Date)

(Address of Server)

(Type of Process Server)

(Server's Signature)

(Server's Printed Name)

(Phone Number of Server)

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017	SUMMONS - CIVIL -	Court Case Number 68-CV-2020-900922.00
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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

FRANK J PRICE ET AL V. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL

NOTICE TO: FAMILY DOLLAR STORES OF ALABAMA, LLC, C/O CORP SERVICE CO, INC. 641 S LAWRENCE STREET, MONTGOMERY, AL 36104

(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
 G. COURTNEY FRENCH MR.

(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 600 LUCKIE DRIVE, SUITE 300, BIRMINGHAM, AL 35223

(Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of FRANK J PRICE

(Name(s))

12/21/2020 /s/ KAREN DUNN BURKS By: _____

(Date) *(Signature of Clerk)* *(Name)*

☒ Certified Mail is hereby requested. /s/ G. COURTNEY FRENCH MR.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE

☐ Return receipt of certified mail received in this office on _____

(Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____

(Name of Person Served) in _____ County,

(Name of County)

Alabama on _____

(Date)

(Type of Process Server)

(Server's Signature)

(Server's Printed Name)

(Address of Server)

(Phone Number of Server)

ELECTRONICALLY FILED

12/31/2020 1:01 PM

68-CV-2020-900922.00

CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
KAREN DUNN BURKS, CLERKAlabama
Judicial System
14 Rev. 4/2017**SUMMONS**
- CIVIL -**Court Case Number**
68-CV-2020-900922.00**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA**
FRANK J PRICE ET AL V. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL**SERVE TO:** SHENITA G TURNER, 609 CRUMPTON DR, APT J, BESSEMER, AL 35020

(Name and Address of Defendant)

COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST
IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE
FINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR
OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND
DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),
G. COURTNEY FRENCH MR.

(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 600 LUCKIE DRIVE, SUITE 300, BIRMINGHAM, AL 35223

(Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR
OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR
THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL
PROCEDURE TO SERVE PROCESS:**☒ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in
this action upon the above-named Defendant.☐ Service by certified mail of this Summons is initiated upon the written request of _____
pursuant to the Alabama Rules of the Civil Procedure.

(Name(s))

12/21/2020

(Date)

/s/ KAREN DUNN BURKS

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

RETURN ON SERVICE☐ Return receipt of certified mail received in this office on _____

(Date)

☒ I certify that I personally delivered a copy of this Summons and Complaint or other document to _____

Shenita G. Turner in _____

(Name of Person Served)

(Name of County)

County,

Alabama on

S.P.S.

(Type of Process Server)

12/22/2020

(Date)

S.P.S. Tara Nix

(Server's Signature)

(Server's Printed Name)

1800 Martin Springs Rd

(Address of Server)

Bham, AL 35215

205-368-7995

(Phone Number of Server)

68-CV-2020-900922.00**FRANK J PRICE ET AL V. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL**

C001 - FRANK J PRICE

(Plaintiff)

v.

D002 - SHENITA G TURNER

(Defendant)

**SERVICE RETURN COPY**

DOCUMENT 6



AlaFile E-Notice

68-CV-2020-900922.00

To: G. COURTNEY FRENCH MR.
cfrench@fpflaw.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

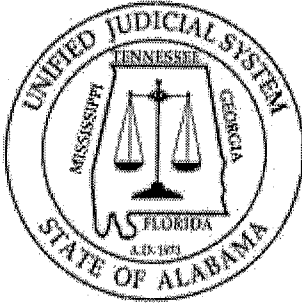
FRANK J PRICE ET AL V. FAMILY DOLLAR STORES OF ALABAMA, LLC ET AL
68-CV-2020-900922.00

The following RETURN ON SERVICE - SERVED was FILED on 12/31/2020 1:00:43
PM

Notice Date: 12/31/2020 1:00:43 PM

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CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
1851 2ND AVENUE NORTH
SUITE 130
BESSEMER, AL, 35020

205-497-8510



AlaFile E-Notice

68-CV-2020-900922.00

To: FAMILY DOLLAR STORES OF ALABAMA, LLC (PRO SE)
C/O CORP SERVICE CO, INC.
641 S LAWRENCE STREET
MONTGOMERY, AL, 36104-0000

NOTICE OF ELECTRONIC FILING

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To: TURNER SHENITA G (PRO SE)
609 CRUMPTON DR, APT J
BESSEMER, AL, 35020-0000

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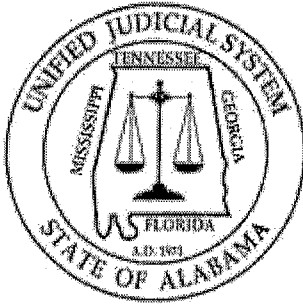
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To: FRENCH CHRISTIN RENEE
crfrench@fpflaw.com

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1/21/2021 8:50 AM
68-CV-2020-900922.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
KAREN DUNN BURKS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

BESSEMER DIVISION

FRANK J. PRICE, an individual and
LISA PRICE, an individual

Plaintiffs,

v.

FAMILY DOLLAR STORES OF
ALABAMA, LLC, a corporation;
SHENTIA G. TURNER, individual,

Defendants.

Civil Action

File No.: 68-cv-2020-900922.00

DEFENSES AND ANSWER OF SHENTIA TURNER

COMES NOW, Shenita Turner, named Defendant in the above styled action, and files the following Defenses and Answer to Plaintiff's Complaint and shows the Court as follows:

FIRST DEFENSE

The Complaint fails to set forth a claim against this Defendant upon which relief can be granted.

SECOND DEFENSE

For a Second Defense, the Defendant answers the numbered paragraphs of the Complaint as follows:

1.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 1 of the Complaint and, therefore, cannot admit or deny same.

2.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 2 of the Complaint and, therefore, cannot admit or deny same.

3.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 3 of the Complaint and, therefore, cannot admit or deny same.

4.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 4 of the Complaint and, therefore, cannot admit or deny same.

5.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 5 of the Complaint and, therefore, cannot admit or deny same.

6.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 6 of the Complaint and, therefore, cannot admit or deny same.

7.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 7 of the Complaint and, therefore, cannot admit or deny same.

8.

Defendant denies as pled the allegations contained in Paragraph 8.

9.

Defendant denies as pled the allegations contained in Paragraph 9.

10.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 10 of the Complaint and, therefore, cannot admit or deny same.

11.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 11 of the Complaint and, therefore, cannot admit or deny same.

STATEMENT OF THE FACTS

13.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 13 of the Complaint and, therefore, cannot admit or deny same.

14.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 14 of the Complaint and, therefore, cannot admit or deny same.

15.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 15 of the Complaint and, therefore, cannot admit or deny same.

16.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the averments contained in Paragraph 16 of the Complaint and, therefore, cannot admit or deny same.

17.

Defendant denies the allegations contained in Paragraph 17.

COUNT ONE-NEGLIGENCE

18.

Defendant incorporates by reference her responses to the preceding paragraphs.

19.

Defendant admits that Plaintiffs purport to bring a cause of action against Defendants Family Dollar Stores of Alabama, LLC, Shenita G. Turner, and Fictitious Defendants No. 1 through 6, but Defendant denies that Plaintiffs have set forth a cause of action against the Defendant or are entitled to relief against Defendant.

20.

Defendant denies the allegations contained in Paragraph 20.

21.

Defendant denies the allegations contained in Paragraph 21.

22.

Defendant denies the allegations contained in Paragraph 22.

23.

Defendant denies the allegations contained in Paragraph 23.

24.

Defendant denies the allegations contained in Paragraph 24.

25.

Defendant denies the allegations contained in Paragraph 25.

26.

Defendant denies the allegations contained in Paragraph 26, including the allegations in the Ad Damnum clause.

COUNT TWO-WANTONNESS

27.

Defendant incorporates by reference her responses to the preceding paragraphs.

28.

Defendant admits that Plaintiffs purport to bring a cause of action against Defendants Family Dollar Stores of Alabama, LLC, Shenita G. Turner, and Fictitious Defendants No. 1 through 6, but Defendant denies that Plaintiffs have set forth a cause of action against the Defendant or are entitled to relief against Defendant.

29.

Defendant denies the allegations contained in Paragraph 29.

30.

Defendant denies the allegations contained in Paragraph 30.

31.

Defendant denies the allegations contained in Paragraph 31, including the allegation contained in the Ad Damnum clause.

32.

Any allegation of the Complaint not admitted, denied or otherwise responded to above is hereby denied.

THIRD DEFENSE

Defendant is not liable to Plaintiff because Defendant breached no duty owed to Plaintiff in regard to the occurrence giving rise to this Complaint.

FOURTH DEFENSE

Defendant shows that the alleged damages of Plaintiff, if any, were caused by the contributory and comparative negligence of Plaintiff.

FIFTH DEFENSE

Plaintiff, by the exercise of ordinary care, could have avoided the consequences of any act or failure to act of Defendant.

SIXTH DEFENSE

Defendant is not liable to Plaintiff because the negligence of Plaintiff equaled or preponderated over any acts or omissions of Defendant in producing or in bringing about the occurrence complained of, but Defendant denies that any act of Defendant produced, brought about, caused, or contributed to in any manner whatsoever the occurrence complained of in the Complaint.

SEVENTH DEFENSE

The claims of Plaintiff are barred by the doctrine of assumption of risk.

EIGHTH DEFENSE

Plaintiff's injuries, if any, were caused by an unforeseeable intervening third party tortfeasor and/or the acts and failure to act of persons or entities other than Defendant.

NINTH DEFENSE

The Complaint should be dismissed for lack of jurisdiction over the subject matter, lack of jurisdiction over the person of this Defendant, improper venue, and insufficiency of process and service of process as to this Defendant.

WHEREFORE, having fully answered, Defendant prays that the Complaint be dismissed with costs of this action cast against the Plaintiffs.

This 21st day of January, 2021.

Goodman McGuffey LLP
Attorneys for Defendant Turner

By: /s/Chad W. Bickerton
CHAD W. BICKERTON
AL Bar No. 8412-X11F
cbickerton@GM-LLP.com
3340 Peachtree Road NE, Suite 2100
Atlanta, GA 30326-1084
(404) 264-1500 Phone
(404) 264-1737 Fax

DEFENDANT DEMANDS
TRIAL BY JURY OF TWELVE

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

BESSEMER DIVISION

FRANK J. PRICE, an individual and
LISA PRICE, an individual

Plaintiffs,

v.

FAMILY DOLLAR STORES OF
ALABAMA, LLC, a corporation;
SHENITA G. TURNER, individual,

Defendants.

Civil Action

File No.: 68-cv-2020-900922.00

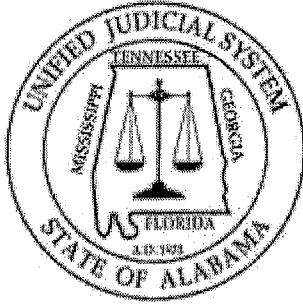
CERTIFICATE OF SERVICE

This is to certify that I have this day served all counsel and parties of record with a copy of **Defenses and Answer of Shenita Turner** by statutory electronic service or by depositing a copy of same in the United States Mail, postage prepaid, as follows:

G. Courtney French
Christin R. French
Petway, French, & Ford, LLP
600 Luckie Drive; Suite 300
Birmingham, Alabama 35223
cfrench@fpflaw.com
crfrench@fpflaw.com

This 21st day of January, 2021.

By: /s/Chad W. Bickerton
CHAD W. BICKERTON
AL Bar No. 8412-X11F
cbickerton@GM-LLP.com
3340 Peachtree Road NE, Suite 2100
Atlanta, GA 30326-1084
(404) 264-1500 Phone
(404) 264-1737 Fax



AlaFile E-Notice

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To: CHAD WILSON BICKERTON
cbickerton@gm-llp.com

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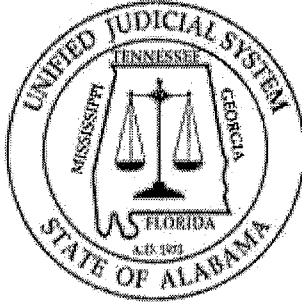
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The following answer was FILED on 1/21/2021 8:49:54 AM

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KAREN DUNN BURKS
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JEFFERSON COUNTY, ALABAMA
1851 2ND AVENUE NORTH
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205-497-8510



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68-CV-2020-900922.00

To: FAMILY DOLLAR STORES OF ALABAMA, LLC (PRO SE)
C/O CORP SERVICE CO, INC.
641 S LAWRENCE STREET
MONTGOMERY, AL, 36104-0000

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609 CRUMPTON DR, APT J
BESSEMER, AL, 35020-0000

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To: FRENCH GEORGE COURTNEY
cfrench@fpflaw.com

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crfrench@fpflaw.com

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12/31/2020 1:01 PM
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KAREN DUNN BURKS, CLERKAlabama
Judicial System
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68-CV-2020-900922.00IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
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ICE TO: SHENITA G TURNER, 609 CRUMPTON DR, APT J, BESSEMER, AL 35020

(Name and Address of Defendant)

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G. COURTNEY FRENCH MR.

(Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 600 LUCKIE DRIVE, SUITE 300, BIRMINGHAM, AL 35223

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(Date)

/s/ KAREN DUNN BURKS

(Signature of Clerk)

By:

(Name)

☐ Certified Mail is hereby requested.

(Plaintiff's/Attorney's Signature)

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(Name of Person Served)

(Name of County)

Alabama on

S.P.S.

(Type of Process Server)

S.P.S. Tara Nix
(Server's Signature)S.P.S. Tara Nix
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C001 - FRANK J PRICE

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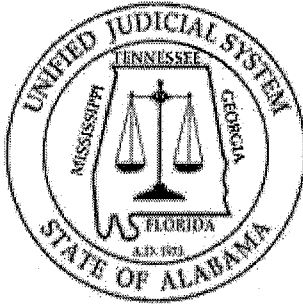
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D002 - SHENITA G TURNER

(Defendant)

**SERVICE RETURN COPY**

DOCUMENT 6



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Judge: ANNETTA H. VERIN

To: FRENCH GEORGE COURTNEY
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D002 TURNER SHENITA G

Corresponding To

SERVED PERSONALLY

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